

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 * * *

10
11 STEVEN AARON FEEDER,

12 Plaintiff(s),

13 v.

14 GLOBAL INDUSTRIAL, INC., et al.,

15 Defendant(s).

2:13-cv-00860-GMN-NJK

16
17
18
19
20
21
22
23
24
25
26
27
28
**REPORT & RECOMMENDATION OF
UNITED STATES MAGISTRATE
JUDGE**

17 Plaintiff Steven Aaron Feeder is proceeding in this action *pro se*. Plaintiff filed a
18 Complaint on May 16, 2013. Docket No. 1. Because the Court granted Plaintiff's request to
19 proceed *in forma pauperis*, the Court screened the pursuant to 28 U.S.C. § 1915(e). Docket No.
20 4. The Court found that Plaintiff's Complaint failed to state a claim and allowed Plaintiff thirty
21 days, until July 10, 2013, to file an amended complaint. The Court indicated that "[f]ailure to
22 comply with this Order will result in the recommended dismissal of this case, without prejudice."
23 Docket No. 4 at 4. Plaintiff has neither filed an amended complaint nor requested an extension
24 of time nor taken any other action to prosecute this case.

25 Accordingly, **IT IS THE RECOMMENDATION** of the undersigned United States
26 Magistrate Judge that this case be **DISMISSED**.

27 **NOTICE**

28 Pursuant to Local Rule IB 3-2 **any objection to this Report and Recommendation**

1 **must be in writing and filed with the Clerk of the Court within 14 days of service of this**
2 **document.** The Supreme Court has held that the courts of appeal may determine that an appeal
3 has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*,
4 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the
5 specified time and (2) failure to properly address and brief the objectionable issues waives the
6 right to appeal the District Court's order and/or appeal factual issues from the order of the
7 District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United*
8 *Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

9 DATED: July 22, 2013

10
11 
12 _____
13 NANCY J. KOPPE
14 United States Magistrate Judge
15
16
17
18
19
20
21
22
23
24
25
26
27
28